



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

VIA CERTIFIED MAIL

Doug Harris  
General Manager  
Veolia Environmental Services  
7 Mobile Avenue  
Sauget, Illinois 62201

**MAY 25 2012**

Re: Request for extension of time to Conduct the Confirmatory Performance Test and Continuous Monitoring System Performance Evaluation at Incinerators 2, 3 and 4 under the National Emissions Standards for Hazardous Waste Combustors at 40 C.F.R. Part 63, Subpart EEE

Dear Mr. Harris:

Thank you for your letters dated May 2, 2012 requesting a six-month extension of time to conduct the confirmatory performance test and Continuous Monitoring System (CMS) performance evaluation at Incinerators 2, 3, and 4, as required by the National Emissions Standards for Hazardous Waste Combustors (HWC MACT) at 40 C.F.R. Part 63, Subpart EEE. For the reasons specified below and pursuant to 40 C.F.R. § 63.1207(e)(3)(ii)(B), the U.S. Environmental Protection Agency denies the waiver request of Veolia Environmental Services (Veolia).

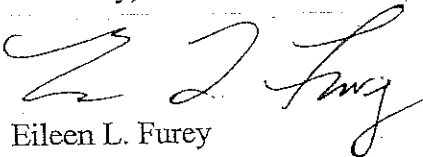
On April 13, 2012, Veolia submitted to the EPA a confirmatory performance test plan and CMS performance evaluation test plan with a commitment to commence the test by July 8, 2012. The HWC MACT at 40 C.F.R. § 63.1207(e)(1)(ii) requires Veolia to submit to the Administrator a notification of its intention to conduct a confirmatory performance test and CMS performance evaluation test plan, along with a site-specific test plan, at least 60 calendar days before the performance test is scheduled to begin.

Under the rule, the EPA was to notify Veolia of approval or intent to deny approval of the site-specific test plan and CMS performance evaluation test plan within 30 calendar days after receipt of the original test plans, leaving at least 30 days before commencement of confirmatory testing. See 40 C.F.R. § 63.1207(e)(1)(ii). EPA reviewed and approved the test plan on May 25, 2012, which admittedly was beyond 30 calendar days from the date of submittal. However, Veolia still has over 30 calendar days from the date of the May 25, 2012 approval letter to prepare for the test. Additionally, I understand from discussions with Sarah Marshall of my staff that Veolia has determined that the six-month extension of time it requested is no longer necessary. EPA is therefore denying

Veolia's request for a six-month extension to conduct the confirmatory performance test and CMS performance evaluation at Incinerators 2, 3, and 4.

If you have any questions regarding this letter, feel free to contact Sarah Marshall, of my staff, at (312) 886-6797.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eileen L. Furey".

Eileen L. Furey  
Acting Chief  
Air Enforcement and Compliance Assurance Branch

cc: Ray Pilapil, Manager  
Compliance and Systems Management Section  
Bureau of Air  
Illinois Environmental Protection Agency

standard bcc's:   official file copy w/ attachment(s)  
                          Originating Organization Reading File w/attachments

other bcc's:       Sabrina Argentieri, C-14J  
                          Sarah Marshall, AE-17J

Creation Date:	May 25, 2012
Filename:	Confirmatory Test Approval 052412 SMD.doc
Legend:	ARD:AECAB:AECAS(SECTION):S. Downey

## ARD EDMS

### SCANNING COVER SHEET

Batch Class: Enforcement

Batch Name: 5/29/12 3:14pm

*Please check the types of documents included in this Batch.*

- ☐ APO Waiver Request (Submit immediately for scanning into EDMS and send to George Czerniak electronically)
- ☐ Alternative Monitoring Response
- ☒ Applicability Determination
- ☐ Confidential Business Information
- ☐ FOIA Response
- ☐ Referral to DOJ
- ☐ State Correspondence
- ☐ Title V Certifications

Note any other items in batch that should be brought to the attention of the Scanning Operator.

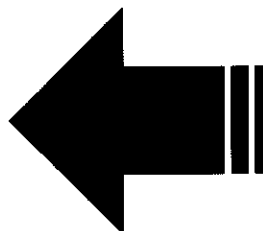
Veolia Environmental Services

	Name	Date
Mail Sorted and Assembled into Batch:	<u>a. Wagner</u>	<u>5-29-12</u>
Scanned:	<u>J. Jackson</u>	<u>5-29-12</u>
Input into ETS and Distributed:		

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Form Type = "Enf Received"  
CODE128 type barcode



Landscape Feed

***New Form Follows...***  
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Portrait Feed  
***New Form Follows...***  
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